

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

ANTOINETTE LIGGINS, et al., )  
                                  )  
Plaintiffs,                 )  
                                  )  
vs.                            )      Case No. 4:16-cv-00413-AGF  
                                  )  
                                  )  
OFFICER MICHAEL COHEN, et al., )  
                                  )  
Defendants.                 )

**ORDER**

Following oral argument on December 21, 2016,

**IT IS HEREBY ORDERED** that Defendants' motion for a protective order (Doc. No. 31) and Plaintiff's motion to compel (Doc. No. 26) are **GRANTED in part and DENIED in part** as follows and as more fully discussed at oral argument:

1. The parties shall promptly meet and confer regarding what discovery can be disclosed, subject to redaction of personal identifying and other confidential information, that would not impact the concerns raised in Defendants' motion for a protective order (Doc. No. 31).
2. Defendants' objection to Plaintiff's discovery requests for investigative materials regarding, and videos of, the shooting incident at issue in this case are overruled, subject to an appropriate temporary protective order providing for an Attorney's Eyes Only designation, and provided that the parties shall confer and attempt to reach agreement regarding the redaction of any information that would jeopardize Defendant Michael Cohen's Fifth Amendment rights. If they cannot reach agreement on that issue, they may present their dispute to the Court.
3. Defendants' objection to Plaintiff's requests for discovery related to past use of force are overruled, except that Defendants may limit such production to the time period of September 1, 2011, to the date of the shooting incident, July 11, 2015, and to only those uses of force involving weapons.
4. Defendants' objection to Plaintiff's discovery requests for the personnel files of other officers involved in the shooting incident is overruled with respect to the two

probationary officers who witnessed the incident, subject to the redaction of personal identifying and other confidential information.

5. Defendants' objection to Plaintiff's Interrogatory No. 8 is overruled to the extent that Defendants shall disclose the chain of command for Defendant Michael Cohen on the date of the shooting incident.
6. Defendants shall continue to supplement their privilege log for discovery withheld under a claim of privilege.
7. Discovery directed to Defendant Michael Cohen individually shall continue to be stayed until such time as the City of St. Louis Circuit Attorney's office makes a determination as to whether criminal charges will issue against Defendant Cohen.
8. The parties shall promptly confer and file a joint proposed amended Case Management Order, which may be revised again after the Circuit Attorney decides whether to issue criminal charges against Defendant Cohen.

**IT IS FURTHER ORDERED** that Defendants shall, within **60 days** of this Order and every **60 days** thereafter, or such earlier date of any decision with respect to criminal charges against Defendant Cohen, file a status report on the status of such decision.

*Audrey G. Fleissig*  
AUDREY G. FLEISSIG  
UNITED STATES DISTRICT JUDGE

Dated this 21st day of December, 2016.